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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/817,161	04/02/2004	Craig Weissman	021735-000500US

20350
 TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 1170

FORMALITIES LETTER



OC000000012992494

Date Mailed: 06/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/20/2004 HLE333 00000043 201430 10817161

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA
 02 FC:1201 344.00 DA
 03 FC:1202 54.00 DA
 04 FC:1051 130.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 7,8.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$199** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$649** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$199**
 - **\$172** for 4 independent claims over 3.
 - **\$27** for 3 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/817,161
Filing Date	April 2, 2004
First Named Inventor	Weissman, Craig
Art Unit	2171
Examiner Name	not yet assigned
Attorney Docket Number	021735-000500US

Total Number of Pages in This Submission 18

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Response to Missing Parts/
Incomplete Application

<input checked="" type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input checked="" type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund

<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication
to Group
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please
identify below):
Return Postcard;
Copy of Notice to File Missing Parts
Statement Under 37 CFR 3.73(b) with
copy of Assignment
Executed Declaration with Supplemental
Application Data Sheet
8 Sheets of Formal Drawings |
|---|---|---|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP Gerald T. Gray	Reg. No. 41,797
Signature	<i>Gerald T. Gray</i>	
Date	July 13, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Marta R. Vanegas		
Signature	<i>Marta Vanegas</i>	Date	July 13, 2004



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1298

Complete if Known

Application Number	10/817,161
Filing Date	April 2, 2004
First Named Inventor	Weissman, Craig
Examiner Name	not yet assigned
Art Unit	2171
Attorney Docket No.	021735-000500US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	2001 385 Utility filing fee	770
		1002	340	2002 170 Design filing fee	
		1003	530	2003 265 Plant filing fee	
		1004	770	2004 385 Reissue filing fee	
		1005	160	2005 80 Provisional filing fee	

SUBTOTAL (1)

(\$770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims 23 -20** =	3	X\$18	\$54
Independent Claims 7 -3** =	4	X\$86	\$344
Multiple Dependent		X	

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	2202 9 Claims in excess of 20
		1201	86	2201 43 Independent claims in excess of 3
		1203	290	2203 145 Multiple dependent claim, if not paid
		1204	86	2204 43 ** Reissue independent claims over original patent
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$398)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large	Entity	Small	Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
				1051	130	2051 65 Surcharge - late filing fee or oath	130
				1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.	
				1053	130	1053 130 Non-English specification	
				1812	2,520	1812 2,520 For filing a request for reexamination	
				1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
				1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
				1251	110	2251 55 Extension for reply within first month	
				1252	420	2252 210 Extension for reply within second month	
				1253	950	2253 475 Extension for reply within third month	
				1254	1,480	2254 740 Extension for reply within fourth month	
				1255	2,010	2255 1,005 Extension for reply within fifth month	
				1401	330	2401 165 Notice of Appeal	
				1402	330	2402 165 Filing a brief in support of an appeal	
				1403	290	2403 145 Request for oral hearing	
				1451	1,510	1451 1,510 Petition to institute a public use proceeding	
				1452	110	2452 55 Petition to revive - unavoidable	
				1453	1,330	2453 665 Petition to revive - unintentional	
				1501	1,330	2501 665 Utility issue fee (or reissue)	
				1502	480	2502 240 Design issue fee	
				1503	640	2503 320 Plant issue fee	
				1460	130	1460 130 Petitions to the Commissioner	
				1807	50	1807 50 Petitions related to provisional applications	
				1806	180	1806 180 Submission of Information Disclosure Stmt	
				8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
				1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
				1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
				1801	770	2801 385 Request for Continued Examination (RCE)	
				1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$130)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Gerald T. Gray	Registration No. (Attorney/Agent)	41,797	Telephone	925-472-5000
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Signature

Date

July 13, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.